

**Representative Marda Dillree** proposes the following substitute bill:

**JOINT RULES RESOLUTION - AMENDMENTS**  
**TO CERTAIN PROCESSES**

2003 GENERAL SESSION

STATE OF UTAH

**Sponsor: Marda Dillree**

**This resolution modifies Joint Rules by requiring bills to be transmitted electronically rather than in hard copy and by codifying existing practice for revised fiscal notes on substitute bills and amendments to bills that have a substantial fiscal impact. This resolution clarifies the definition of "mixed committee." This resolution takes effect immediately.**

This resolution affects legislative rules as follows:

AMENDS:

**JR-4.22**

**JR-4.23**

*Be it resolved by the Legislature of the state of Utah:*

Section 1. **JR-4.22** is amended to read:

**JR-4.22. Bills; Requests; Drafting; Copies; Notes.**

(1) (a) A legislator desiring to introduce a bill that enacts, amends, or repeals statutes shall file a Request for Legislation with the Office of Legislative Research and General Counsel within the time limits established by JR-19.02.

(b) A legislator desiring to obtain funding for a project, program, or entity, when that funding request does not require that a statute be enacted, repealed, or amended, may not file a Request for Legislation but instead shall comply with the procedures and requirements of JR-4.22.1.

(c) The request shall designate:



26 (i) the chief sponsor[;] who is knowledgeable about and responsible for providing  
27 pertinent information as the bill is processed; and

28 (ii) any supporting legislators who wish to cosponsor the bill.

29 (2) (a) When a member files a Request for Legislation, the Office of Legislative  
30 Research and General Counsel shall:

31 (i) review the request and any accompanying bill; and

32 (ii) with the approval of the sponsor, prepare the legislation for introduction by making  
33 any changes necessary to:

34 (A) ensure that it is in proper legal form;

35 (B) remove any ambiguities;

36 (C) avoid constitutional or statutory conflicts;

37 (D) insure a uniform system of punctuation, capitalization, numbering, and wording;

38 (E) eliminate duplication and repeal of laws directly or by implication;

39 (F) correct defective or inconsistent section and paragraph structure in arrangement of  
40 the subject matter of existing statutes;

41 (G) eliminate all obsolete and redundant words; and

42 (H) correct obvious errors and inconsistencies in punctuation, capitalization,  
43 numbering, and wording.

44 (b) Legislative General Counsel shall indicate on the first page of the bill the drafting  
45 attorney's approval of the bill.

46 (3) The Office of Legislative Research and General Counsel shall [~~reproduce ten~~  
47 ~~copies~~] send an electronic copy of the approved bill [~~and deliver~~] to:

48 (a) [~~seven of them to~~] the Chief Clerk or the Secretary; and

49 (b) [~~three of them to~~] the Legislative Fiscal Analyst [~~for fiscal notes~~].

50 (4) (a) As used in this Subsection (4):

51 (i) (A) "Legislative committee" means a committee, commission, task force, or other  
52 policy or advisory body that is created by statute, legislation, or by the Legislative Management  
53 Committee and that is composed exclusively of legislators.

54 (B) "Legislative committee" does not mean a standing committee.

55 (C) Notwithstanding Subsection (4)(a)(i)(B), "Legislative committee" includes the  
56 Rules Committee.

57 (ii) "Mixed committee" means a committee, commission, task force, or other policy or  
58 advisory body that is:

59 (A) created by statute, legislation, or by the Legislative Management Committee [~~and~~  
60 ~~that is~~];

61 (B) composed of legislator members and nonlegislative members[-]; and

62 (C) staffed by the Office of Legislative Research and General Counsel or the  
63 Legislative Fiscal Analyst.

64 (b) The Director of the Office of Legislative Research and General Counsel shall:

65 (i) note on any bill reviewed by a legislative committee that the committee  
66 recommends the bill or has voted the bill out without recommendation;

67 (ii) note on any bill reviewed by a mixed committee:

68 (A) the number of legislators and nonlegislators on the mixed committee;

69 (B) the number of legislators who voted for and against recommending the bill; and

70 (C) that the committee recommends the bill or has voted the bill out without  
71 recommendation; and

72 (iii) ensure that the note is printed with the bill.

73 (5) (a) Any Request for Legislation filed directly with the Office of Legislative  
74 Research and General Counsel, with an accompanying bill, shall be reviewed and approved by  
75 it within three legislative days.

76 (b) A legislative review note shall be attached to the bill, together with any interim  
77 committee note.

78 (c) This three day deadline may be extended if the Director of the Office of Legislative  
79 Research and General Counsel requests it and states the reasons for the delay.

80 (6) (a) (i) When the Legislative Fiscal Analyst receives the approved bill, that office  
81 has three legislative days to review the bill and provide a fiscal note to the sponsor of the  
82 legislation.

83 (ii) The fiscal note may be printed 24 hours after the sponsor receives it unless the  
84 sponsor receives the fiscal note on a Friday, in which case the 24-hour period does not expire  
85 until the following Monday.

86 (iii) The sponsor may direct an earlier release of the fiscal note for printing.

87 (iv) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be

88 ordered printed immediately after the sponsor has received a copy of the fiscal note, without a  
89 24-hour delay.

90 (b) The three day deadline for the preparation of the fiscal note may be extended if the  
91 Legislative Fiscal Analyst requests it and states the reasons for the delay.

92 (c) The fiscal note shall be printed with the bill.

93 (7) (a) The reports of the Legislative Fiscal Analyst and the Office of Legislative  
94 Research and General Counsel shall be attached to the original copy of the bill.

95 (b) The report is not an official part of the bill.

96 Section 2. **JR-4.23** is amended to read:

97 **JR-4.23. Amended Fiscal Note or Amended Legislative Review Letter.**

98 (1) If [~~an amendment or~~] a substitute to a bill appears to substantively change the fiscal  
99 impact of the bill [~~or~~], the Legislative Fiscal Analyst shall prepare a new fiscal note for the bill.

100 (2) If an amendment to a bill appears to substantively change the fiscal impact of the  
101 bill, or if an amendment or substitute to a bill appears to substantively change the bill's  
102 constitutionality, an amended fiscal note or amended legislative review letter may be requested  
103 by a legislator. This request shall be by a motion in a standing committee or on the floor and  
104 shall be approved by a majority vote. This bill shall then be reviewed by the rules committee  
105 of the respective house. The rules committee shall refer the matter to the Legislative Fiscal  
106 Analyst, Legislative General Counsel, or shall determine that no amended fiscal note or  
107 amended legislative review letter is necessary and refer the bill back to the standing committee  
108 or the floor. Once this determination has been made by the rules committee, no further motion  
109 for an amended fiscal note or amended legislative review letter is in order unless the bill is  
110 subsequently amended or a substitute bill filed. If an amended fiscal note or amended  
111 legislative review letter is requested by the rules committee, when the amended note or letter is  
112 complete, rules committee shall refer the bill back to its originating standing committee or give  
113 this bill priority for floor action in preparing the calendar. This amended fiscal note or  
114 amended legislative review letter shall be printed with any subsequent printing of the bill.

115 [~~(2)~~] (3) The sponsor of a bill may request an amended fiscal note or an amended  
116 legislative review letter and obtain it without further legislative approval.

117 Section 3. **Effective date.**

118 This resolution takes effect upon approval by a constitutional majority vote of all

119 members of the Senate and House of Representatives.